

AN ACT

ENTITLED, An Act to specify the service needed to receive benefits in the South Dakota Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That subdivision (73) of § 3-12-47 be amended to read as follows:

(73) "Vested," the right to an annuity payable at normal retirement age from the system after three years of contributory service, even if the member leaves the employment of a participating unit, provided that the member does not withdraw accumulated contributions. A member who leaves the employment of a participating unit is not entitled to benefits under §§ 3-12-95, 3-12-98, 3-12-99, 3-12-104, and 3-12-105.

Section 2. That subdivision (47) of § 3-12-47 be amended to read as follows:

(47) "Normal retirement," the termination of employment and application for benefits by a member with three or more years of contributory service on or after the member's normal retirement age;

Section 3. That § 3-12-98 be amended to read as follows:

3-12-98. A contributing member who becomes disabled and who has rendered at least three years of contributory service since the member's most recent entry into active status and prior to becoming disabled or was disabled by accidental means while performing usual duties for an employer, is eligible for a disability allowance if the disability is expected to be of long, continued, and indefinite duration of at least one year. In order to be eligible for a disability allowance, a member shall be disabled on the date the contributory service ends. Any member who fails to file with the administrator an application for disability benefits within three years of the date on which the member's contributory service ends, forfeits all rights to disability benefits. For purposes of this section, a transfer within a participating unit, or a change in employment from one participating unit

to another participating unit if there is no break in contributory service, does not constitute a new entry into active status.

Section 4. That § 3-12-81 be repealed.

An Act to specify the service needed to receive benefits in the South Dakota Retirement System.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1039

\_\_\_\_\_  
Chief Clerk  
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\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1039

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
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STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State